

**IN THE UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF ARKANSAS
FAYETTEVILLE DIVISION**

IN RE:

NATIONAL HOME CENTERS, INC.,

CASE NO. 09-BK-76195

Debtor.

ORDER RELATING TO DISCLOSURE STATEMENTS

This matter having been presented to the Court on the stipulation of the Debtor and the Official Committee for Unsecured Creditors (“Committee”; and together with the Debtor, the “Parties”) to resolve the Debtor’s objection to the Committee’s disclosure statement as well as concerns regarding the distribution of multiple plans in this case, NOW, THEREFORE,

IT IS HEREBY ORDERED that

1. The Debtor’s limited objection to the Committee’s disclosure statement is withdrawn.
2. The Committee shall modify its disclosure statement to include a disclosure of Miller, Canfield, Paddock & Stone’s current rate structure.
3. As the deadline for objection to the Committee’s disclosure statement and solicitation motion has passed and the only objection has been resolved,
 - a. The Committee’s disclosure statement is hereby approved.
 - b. The Committee’s solicitation motion is granted and the proposed order shall be entered.
4. The Committee shall not object to the Debtor’s disclosure statement.
5. Should the Court approve the Debtor’s disclosure statement in addition to the Committee’s disclosure statement,

- a. The Parties shall modify their disclosure statements to include language explaining that the plans filed by the Debtor and the Committee are separate and distinct and that creditors have the right to vote on both plans.
- b. To avoid concerns under 11 U.S.C. § 1125(b), the solicitation materials of both Parties will be deemed to have been distributed simultaneously and the Court will not hear objections under 11 U.S.C. § 1125(b).